

DODGE COUNTY PLANNING, DEVELOPMENT AND PARKS COMMITTEE
MINUTES
July 7, 2014

The Dodge County Planning, Development and Parks Committee met on July 7, 2014 at 7:00 p.m. on the 1st Floor of the Administration Building, Juneau, Wisconsin.

Chairman Schaefer called the meeting to order. Roll Call was taken. Members present were Tom Schaefer, Allen Behl, Randy Grebel, Joseph Marsik and Janice Bobholz. The staff present at the request of the Chairman were Bill Ehlenbeck, Dean Perlick and Joseph Giebel.

The Chairman asked the staff to confirm compliance with the open meeting laws and the public hearing notice requirements. Mr. Giebel noted that the meeting was properly noticed in accord with the open meeting law and noted that the required notice for the public hearing listed on the agenda was posted, mailed and published in accord with the statute and code requirements.

The agenda was reviewed and approved as posted.

ADMINISTRATIVE BUSINESS

PARK SYSTEM

1. Park Projects Report

Bill Ehlenbeck provided the committee with an update on the status of the park projects.

The Ledge Park electric campsite upgrade was substantially completed and operational in time for Memorial Day weekend. The electrical pedestals were upgraded and the camping pads and roads were reconfigured and re-sized to allow better access to the sites. The reconfiguration of the pads allowed for 3 additional electrical sites. The new road has a wider turning radius and will provide safer access to the sites. Paving is still needed in some areas either later this year or next year. Some water and drainage issues still need to be resolved as well.

Bill informed the Committee that the bathroom at Harnischfeger Park is operational as of last week. There are minor items left to be done on the building, but it is operational. Most lights for the building are motion sensor lights which will help save on energy costs. The camp host site is also completed and there is sewer, electrical and water hookups available for this site. The building is not heated, however the plumbing is set up to allow the family restroom to be activated and used during Winterfest with propane heaters operating for the day. The contract costs for the project will exceed the bid amount by approximately 2%; mostly due to a miscalculation in the amount of gravel needed for the project. A 10% contingency is available for the overages. Bill noted there have already been some settling cracks noticed near the doors in a few of the rooms. These cracks have been cleaned and filled and they will be monitored by the staff. The building and upgrades have been well received by visitors to the park.

Bill provided the committee with information on the credit card usage at the parks and the revenue sheets for the parks. The credit card usage in the parks has been very active, more so than expected since the convenience fee is tacked on to customer charges. The total parks revenue is down slightly most likely due to the closure of some of the camping

sites in May because of the rain and the campsite work at Ledge. Watercraft rentals at Harnischfeger are affected by the flooding and high water levels. The launch pier has been unable to be installed yet this year.

2. Consider Stop Sign policy on Wild Goose Trail

Bill informed the Committee that no action is needed on a stop sign policy for the Wild Goose Trail as it was recently discovered that the DNR policy covers all State Trails. There are at least three locations on the trail where private driveways cross the trail with stops which require the trail users to stop. There have been some complaints from the trail users regarding having to stop at these locations. Bill noted that the DNR policy requires the stop signs to be facing the private driveways and allows the trail users to have the right-of-way at these locations – with few exceptions. Bill will be evaluating these locations and contacting the owners at these locations where changes are needed in accord with the DNR policy.

The hearing procedures were read into the record.

PUBLIC HEARING

PLEASE TAKE NOTICE THAT the Dodge County Planning, Development and Parks Committee of the Dodge County Board of Supervisors will hold a public hearing on proposed amendments to the *Dodge County Year 2030 Comprehensive Plan*. The public hearing will be held on Monday, July 7, 2014 at 7:05 p.m. or shortly thereafter in Rooms 1I & 1H located on the first floor of the Dodge County Administration Building, located at 127 E. Oak Street, Juneau, Wisconsin.

The Dodge County Year 2030 Comprehensive Plan is a policy document that is used by the County Board of Supervisors and the County Planning, Development and Parks Committee as a guide for making decisions regarding land use and development in the County. The plan contains background information and goals, objectives, policies and recommendations addressing each of the nine (9) plan elements required by Wisconsin's "Smart Growth" comprehensive planning legislation.

Amendments are being proposed to the Year 2030 Future Land Use Map, Dodge County, Wisconsin, Map 8-3 of the *Dodge County Year 2030 Comprehensive Plan*. In addition, amendments are being proposed to the Dodge County Farmland Preservation Plan Map, which is Appendix A – Map 1 of the *Dodge County Farmland Preservation Plan*. The *Dodge County Farmland Preservation Plan* was adopted as Appendix D of the *Dodge County Year 2030 Comprehensive Plan*. The map amendments are listed below and will be available for review at the Land Resources and Parks Department on the third floor of the County Administration Building in Juneau and on the Department website at www.co.dodge.wi.us/landresources. Residents are encouraged to review the plan amendments and submit oral and/or written comments prior to the public hearing.

Future Land Use Map Amendments

1. **Town of Lomira** – Section 8 (W2034 CTH HH)
From: Agriculture and Conservancy
To: Single Family Residential and Conservancy
2. **Town of Elba** – Section 24. (Parcel # 014-1013-2412-000)
From: Industrial and Conservancy
To: Agriculture and Conservancy
3. **Town of Elba** – Section 21 (W11380 Ninabuck Road)
From: Single Family Residential

To: Agriculture

4. **Town of Elba** – Section 10 (W10924 Breyer Road)

From: Recreation

To: Agriculture and Conservancy

Farmland Preservation Plan Map Amendments

1. **Town of Elba** – Section 24. (Parcel # 014-1013-2412-000)

From: Area of Nonagricultural Development

To: Area of Agricultural Use and Agriculture-Related Use

2. **Town of Elba** – Section 21. (W11380 Ninabuck Road)

From: Area of Nonagricultural Development

To: Area of Agricultural Use and Agriculture-Related Use

3. **Town of Elba** – Section 21. (W11305 Anhauser Road)

From: Area of Nonagricultural Development

To: Area of Agricultural Use and Agriculture-Related Use

4. **Town of Elba** – Section 21. (Parcel # 014-1013-2144-003-Partial)

From: Area of Nonagricultural Development

To: Area of Agricultural Use and Agriculture-Related Use

5. **Town of Elba** – Section 10. (W10924 Breyer Road)

From: Area of Nonagricultural Development

To: Area of Agricultural Use and Agriculture-Related Use

6. **Town of Elba** – Section 6. (Parcel # 014-1013-0624-000-Partial)

From: Area of Nonagricultural Development

To: Area of Agricultural Use and Agriculture-Related Use

7. **Town of Lomira** – Section 8 (W2034 CTH HH)

From: Area of Agricultural Use and Agriculture-Related Use

To: Area of Nonagricultural Development

Motion by Grebel to submit a favorable recommendation to the County Board on the amendments to the Dodge County Year 2030 Comprehensive and Farmland Preservation Plans

Second by Behl Vote 5-0 Motion carried.

ADMINISTRATIVE BUSINESS

PLANNING AND ECONOMIC DEVELOPMENT

1. Review Revolving Loan Fund Application.

Dean Perlick informed the Committee that the loan application was not approved and therefore no action was needed at this time.

2. Revolving Loan Fund - Status Report.

Dean Perlick provided the Committee with an update on the revolving loan fund status. There was no new information on the Mossflower Harbour loan which is the only loan that is currently delinquent. All other loans are current with the repayments. There have been three inquiries since April 2, 2014, however no new applications have been submitted.

3. Tourism update

Dean Perlick provided the Committee with an update on the Dodge County tourism group. The nonprofit group "Discover Dodge" put together and sent out the Dodge County tourism guide for 2014. There has been a positive response to the ads from area businesses. The group is also working on possibly opening a visitor center in the City of Beaver Dam in the "Get Fit" building near the intersection of HWY 33 and 151. The group has also been providing press releases throughout the year covering area events that are taking place throughout Dodge County. The group will provide a presentation to the County Board at the August County Board meeting.

OTHER BUSINESS

1. The minutes from the June 16, 2014 meeting were reviewed by the Committee.

Motion by Marsik to approve the minutes as written.

Second by Bobholz Vote: 5-0 Motion carried.

2. Court of Appeals Case – Hegwood vs. Town of Eagle Board of Appeals

Giebel informed the Committee of a recent Court of Appeals opinion that was published in September of 2013 dealing with a Town's right to enforce a zoning ordinance within a shoreland area. Giebel noted that the Supreme Court recently denied a request for review of this case, and therefore the Court of Appeals decision is the controlling interpretation. He indicated that the result of the Court of Appeals decision is that towns do not have any authority to enforce a town zoning ordinance in the same area covered by the County's Shoreland Protection Ordinance unless [in accord with s. 59.692 2(b) Wis. Stats.] the town had a more restrictive zoning ordinance that was in effect and that predates the adoption of county shoreland zoning.

Giebel informed the Committee that the County had originally adopted shoreland zoning in March of 1968 and has enforced shoreland zoning since that time. He also informed the Committee that the staff is in the process of reviewing the County's records to determine the exact dates that the towns adopted their Ordinances and he noted that it is possible that as a result of this court of appeals decision, the Town Ordinances for the 14 Towns that did not adopt County Zoning could not enforce their Town Zoning Ordinances within the shoreland areas leaving these areas with no zoning standards. Giebel noted that if this is found to be the case, and if it is determined that the Towns do not have the authority to regulate their Town zoning regulations within the shoreland area, then the Committee may want to consider amending the County's Shoreland Ordinance to include additional zoning regulations in these areas.

3. Discussion – Dodge County Erosion Control / Stormwater Management Provisions

Giebel asked for the Committee's input on how the staff should address the stormwater management and soil erosion control regulations in the County's re-write of the Subdivision Ordinance. Giebel noted that the County's current construction site stormwater management and soil erosion control provisions of the Code are integrated within the County's Subdivision

provisions of the Land Use Code. He also noted that the stormwater management and soil erosion control provisions are currently enforced within the County's Shoreland jurisdictional area, within the Land Use Code for the Towns that have adopted County Zoning and for certain platting and land division projects under the subdivision provisions of the Code for those projects that exceed the County's land disturbance standards.

Section 59.693 Wisconsin State Statutes allows a County the authority to adopt the states construction site erosion control and stormwater management zoning regulations separate from any other ordinance. In addition, adoption of an ordinance or amendment to an ordinance under this statute regulating construction site stormwater management and soil erosion control provisions does not require the approval of the Towns. He presented the following three options to the Committee for consideration:

1. Create a stand-alone ordinance containing the construction site stormwater management and soil erosion control provisions;
2. Have the construction site stormwater management and soil erosion control provisions in the three separate ordinances that are enforced by the Department: Land use code, Shoreland Ordinance and Subdivision Ordinance.
3. Eliminate the construction site stormwater management and soil erosion control provisions from all or some of the ordinances;

The Committee agreed that a stand-alone ordinance containing the construction site stormwater management and soil erosion control provisions would be the best option for the staff to pursue. The Committee also agreed that the jurisdictional area for the ordinance should remain the same as it is currently enforced in the County.

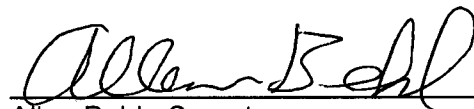
4. No Committee Member Reports

5. No additional Per Diems

Motion by order of the chair to adjourn the meeting. Motion carried.

Meeting adjourned at 8:15 p.m.

Respectfully Submitted,


Allen Behl, Secretary

Disclaimer: The above minutes may be approved, amended or corrected at the next committee meeting.